

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARON CALDWELL,

Plaintiff(s),

CASE NUMBER: 04-74998  
HONORABLE VICTORIA A. ROBERTS

v.

CITY OF DETROIT, et al.,

Defendant(s).

\_\_\_\_\_ /

ORDER DENYING DEFENDANTS' MOTION TO  
STRIKE PLAINTIFF'S RESPONSE TO DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT

Defendants request that the Court strike Plaintiff's Response to their Motion for Summary Judgment and for dismissal of Plaintiff's claims. Defendants assert that such relief is warranted because Plaintiff's Response was untimely and does not conform to the Court's format requirements. In fact, however, the Court granted Plaintiff additional time, from August 8, 2005 to August 11, 2005, to file its Response. The Court further allowed Plaintiff to file an oversized brief. Therefore, Defendants' motion is **DENIED**. However, the Court will grant Defendants an extension to file its Reply. Defendants' Reply must be filed on or before **September 1, 2005**.

**IT IS SO ORDERED.**

s/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: August 24, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 24, 2005.

s/Linda Vertriest \_\_\_\_\_  
Deputy Clerk